

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF FLORIDA  
MDL No. 3076  
Case No. 1:23-md-03076-KMM**

IN RE:  
FTX Cryptocurrency Exchange Collapse Litigation  
et al.,  
  
Defendants.

**MOTION TO DIRECT CLERK OF COURT TO REFERENCE  
DISMISSED PARTIES AND COUNSEL AS TERMINATED ON COURT  
DOCKET, AND REMOVE COUNSEL FROM CM/ECF DISTRIBUTION LIST**

Counsel for former Defendant, the Federal Deposit Insurance Corporation in its capacity as Receiver for Signature Bank (“FDIC-Receiver”), hereby files this Motion to: (1) amend the Court Docket to reflect the termination of the former Signature Bank and the FDIC as its Receiver as parties per the prior dismissal of both in April 2023; and (2) to remove the undersigned counsel from the CM/ECF Distribution List per the prior dismissal of those former parties, and states as follows:

1. On February 22, 2023, Plaintiff Connor O’Keefe (“Plaintiff”) filed a putative Class Action Complaint in Case No. 23-cv-20700-KMM naming Signature Bank as one of the Defendants (the “O’Keefe Action”). [DE 1]. On March 12, 2023, Signature Bank was closed and placed into a FDIC receivership. On March 22, 2023, the FDIC-Receiver filed a notice substituting into the case in place of Signature Bank, and a Motion to Stay Proceedings pending exhaustion of the statutory receivership claims process. [DE 45, 47, Case No. 23-cv-20700-KMM.]

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2. On April 5, 2023, Plaintiff filed a Notice of Dismissal, which voluntarily dismissed all causes of action alleged against Signature Bank in the complaint under Federal Rule of Civil Procedure 41 [DE 74] in Case No. 23-cv-20700-KMM.

3. On the same date, Plaintiff filed a Response to the FDIC-Receiver's Motion to Stay Proceedings that notified the Court that as a result of the voluntary dismissal, neither the former Signature Bank nor the FDIC-Receiver was a party to the O'Keefe Action and that, consequently, the FDIC-Receiver's Motion to Stay was moot. [DE 75, Case No. 23-cv-20700 KMM.]

4. On June 20, 2023, the O'Keefe Action was transferred to this MDL and the underlying case was stayed for a limited time period that has since expired. *See* [DE 96] and [DE 97] in Case No. 23-cv-20700-KMM.

5. Despite Plaintiff's dismissal of the former Signature Bank and the FDIC-Receiver, the Court Docket in the O'Keefe Action and in this MDL does not reflect that those parties were dismissed in April 2023. In addition, undersigned counsel (and law firm) for the FDIC-Receiver have remained on the CM/ECF distribution list as counsel for dismissed parties and continues to receive notifications of Court filings in this action.

6. Prior to filing this motion, undersigned counsel for FDIC-Receiver contacted the Clerk's office to request that the docket reflect that Signature Bank and the FDIC-Receiver were terminated parties and to remove counsel from the CM/ECF Distribution List, but was informed by the Clerk's staff that such changes could not be made without an order from the Court.

7. This Court recently entered a paperless Order in this MDL removing counsel for the former Silvergate Bank, an additional defendant whom Plaintiff dismissed voluntarily, from the CM/ECF Distribution List under similar circumstances. *See* DE 232 (paperless Order) and

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Silvergate's Motion to be Removed from CM/ECF Distribution List [DE 144] per Plaintiff's prior Notice of Voluntary Dismissal, filed June 13, 2023.

WHEREFORE, counsel for former Defendant, Federal Deposit Insurance Corporation as Receiver for Signature Bank, moves the Court (1) for an Order instructing the Clerk of Court to (a) amend the docket in the O'Keefe Action (Case No. 23-cv-20700-KMM) and the instant case to reflect the termination of the former Signature Bank and the FDIC as its Receiver as parties; and (b) remove Dora F. Kaufman, Esq. and all related electronic mail service addresses ([dfk@lgplaw.com](mailto:dfk@lgplaw.com); [cmr@lgplaw.com](mailto:cmr@lgplaw.com); [DFK@ecf.courtdrive.com](mailto:DFK@ecf.courtdrive.com); and [ec@lgplaw.com](mailto:ec@lgplaw.com)) from the CM/ECF Distribution List in the O'Keefe Action and the instant case; and (2) for such other and further relief as may be just and proper under these circumstances.

Respectfully submitted,

/s/ Dora F. Kaufman

Dora F. Kaufman (Florida Bar No. 771244)

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on this 17<sup>th</sup> day of October 2023, the foregoing was filed with the Court using CM/ECF, and served on the same date via CM/ECF to counsel for the other parties to this lawsuit registered via CM/ECF or by electronic mail.

/s/ Dora F. Kaufman  
Dora F. Kaufman (FBN 771244)